

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, APRIL 28, 2004
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

ABSENT: NONE.

Also in attendance: Larry Dloski, Township Attorney
Jack Dailey, Community Planning Consultant
James Van Tiflin, Spalding DeDecker Associates, Inc.
(Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

1. Roll Call

Clerk KOEHS called the roll. All members present.

2. Approval of Agenda Items (with any corrections)

MOTION by BUCCI seconded by MALBURG to approve the amended agenda.

MOTION carried.

3. Approval of Bills

MOTION by DUNN seconded by KOEHS to approve the bill runs as submitted.

MOTION carried.

4. Approval of the April 14, 2004 previous meeting minutes

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MOTION by OLIVER seconded by BUCCI to approve the previous meeting minutes of April 14, 2004 as submitted.

MOTION carried.

5. Department Monthly Reports
- a. Macomb County Sheriffs Department
 - b. Building Department
 - c. Fire Department
 - d. Water/Sewer Department
 - e. Parks and Recreation Department

MOTION by DUNN seconded by MALBURG to approve the Monthly Reports as a Consent Agenda item.

MOTION carried.

6. Public Comments (Non Agenda items only - 3 minute time limit)

Public Portion: Shelly Vitale, Township resident, discussed her recommendations for Arts in the Township.

PUBLIC HEARING:

7. Street Lighting Request; Rocco Estates Subdivision; Located 330 feet north of 21 Mile Road and approximately 120 feet east of Rockwood Drive; Rocco Galati, Petitioner. Permanent Parcel No. 08-28-376-008.

Supervisor BRENNAN reviewed the request and opened the Public Hearing.

MOTION by OLIVER seconded by BUCCI to adopt the resolution for the Lighting Request; Rocco Estates Subdivision; Permanent Parcel No. 08-28-376-008. The resolution is as follows:

FOR THIS MOTION: OLIVER, BUCCI, MALBURG, DUNN, MEERSCHAERT, KOEHS, BRENNAN.

OPPOSED: NONE.

**SAD, Street Lighting Rocco Estates Subdivision
RESOLUTION ORDERING ESTABLISHMENT**

OF STREET LIGHTING DISTRICT

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
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Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on April 28, 2004, at 7:00 P.M., Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.

ABSENT: None.

The following preamble and resolution were offered by Member OLIVER and supported by Member BUCCI.

WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

WHEREAS, the Township Board has determined that the installation of a street light or lights illuminating street serving lands described in Exhibit "A" is necessary to preserve the public health; and

WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

WHEREAS, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

- 1. It is hereby directed that a street light or lights shall be installed at Rocco Estates Subdivision, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".**
- 2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.**
- 3. The initial installation shall equal the sum of \$2,905.44, together with the first annual electrical service charge in the amount of \$1,358.93, the Township's at-large contribution is \$0.00.**

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4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

AYES: OLIVER, BUCCI, MALBURG, DUNN, MEERSCHAERT, KOEHS,
BRENNAN.

NAYS: NONE.

RESOLUTION DECLARED ADOPTED.

MICHAEL D. KOEHS
MACOMB TOWNSHIP CLERK

SAD, Street Lighting, Rocco Estates Subdivision

EXHIBIT "A"

LEGAL DESCRIPTION OF
SPECIAL ASSESSMENT LIGHTING DISTRICT

Part of the southwest $\frac{1}{4}$ of Section 28, T.3N., R. 12E., Macomb Township, Macomb County, Michigan being more particularly described as:

Commencing at a point 185.00' N89°53'18"W along the south section line of said section, and N6°15'30"W 331.63' from the south $\frac{1}{4}$ corner of said section; thence N89°53'18"W 194.15'; thence along the boundary of Rockwood Subdivision as recorded in L.145, P. 22-24 Macomb County records for the next two calls. N0°23'58"W 582.40' and S89°53'18"E 413.00'; thence S0°23'58"E 377.00' along the boundary of Beacon Square Subdivision No. 2 as recorded in L.117, P. 19-27 Macomb County Records also being the north-south $\frac{1}{4}$ line, thence S6°15'30"E, 94.29' to the point of beginning.

Containing 4.748 acres of land.

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**Pre-Printed Portion of document
drafted by:**

**Lawrence W. Dloski
SEIBERT AND DLOSKI, PLLC
59 N. Walnut, 202 Vicant Building
Mt. Clemens, MI 48043**

**AFTER RECORDING RETURN TO: Michael D. Koehs
Macomb Township Clerk
54111 Broughton Road
Macomb, MI 48042**

MOTION carried.

PLANNING COMMISSION:

8. Land Division Variance; Lone Oak Estates; Located on the north side of 22 Mile Road, 566 feet west of Card Road; Polaris Enterprises, Petitioner. Permanent Parcel No. 08-22-400-032. *(Tabled at the petitioners request from the April 14, 2004 Meeting)*

Jack Dailey, Community Planning Consultant, reviewed the request.

Petitioner Present: Tom Kalas. Mr. Kalas discussed with the Board and Township Attorney the Land Division Variance request pertaining to Section 17-132(d) for the Lone Oak Estates development.

Public Portion: None.

Larry Dloski, Township Attorney, stated “ I would like to hear from the developer so that the record is fully developed as to what the developer or developers representative believe is the undo hardship or practical difficulty that be incurred by the applicant if in fact the stub street is required to the three acre parcel.”

Mr. Kalas stated “We’ve addressed that issue somewhat in our letter that I submitted to the Township dated April 23, 2004. If you look at the standard of the impractical ability under the variance ordinance, to requiring a stub street into the Baker parcel to the west. Again, when you look at the way the current subdivision is laid out and the access provided to that subdivision and then you look at the fact that the Baker parcel is an existent homestead with an owner who has gone on the record indicating that they do not plan on developing that now nor in the near future nor do they plan on selling it to a developer for development. It’s very impractical on the Township’s part to require us to provide that stub street, as it really serves no purpose. I can understand in other situations

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where that requirement would come into play and actually serve as a public, health, safety, welfare benefit. But with this situation here we meet the land division act requirement so to provide suitable access to our property, were not creating any landlocked parcels developing Lone Oak Estates. And to request us now to provide access off 22 Mile Road which we have obviously, a stub street to the east with drain crossing which we agreed to provide, a stub street to the north, a stub street to the west to me is very impractical. Because of that reason we felt that the basis was there to have the Township grant us a variance from that stub street requirement.”

Mr. Dloski stated, “ I think the Board in analyzing this should put heavy emphasis on the fact that although Mr. Kalas (*in audible*) certainly not going to quarrel with what Mr. Kalas said perhaps as of the date Mr. Kalas spoke with the owner of the three acre parcel has no intentions to sell it or to develop it. There’s nothing to preclude the owner from selling that parcel to a developer such as Mr. Lombardo tomorrow and Mr. Lombardo tearing the house down and coming in asking to develop the parcel. That I don’t think is relevant concern. I think what’s relevant is that fact that Mr. Dailey’s response to Mr. Koehs question that this three acre parcel without the stub street can only be developed with a single loaded road which is absolutely an unacceptable developmental standard as far as the Township is concerned. I think I’m hearing between the lines that this is really the practical difficulty or undo hardship it’s more economic in nature and that your client is probably going to lose a lot if they have to stub that three acre parcel. And I don’t think that is necessarily the economic hardship is necessarily a basis for granting the land division ordinance variance.”

Mr. Kalas stated, “Obviously economics isn’t the basis for a hardship and we’re not taking that position. We’re not taking that position that we feel it’s impractical for the Township to require this especially on this development and again on a constitutional basis. Although we’re up here for a variance request, we’re looking at a way of protection (*in audible*) position here where you have property up and down 22 Mile Road that are sitting there vacant parcels abutting subdivisions that won’t stub into. I guess we’re just asking not only for a variance request but to be treated as equally as other applicants and as other property owners have up and down 22 Mile Road.”

Supervisor BRENNAN thanked Mr. Kalas for his comments and stated, “ I appreciate that and again I think when the matter was adjourned two weeks ago we advised your client to come in and meet with us and show us what those issues were and we’d tried to find out exactly what’s involved in those. And I am not sure that took place. I spoke with our planners today and was informed of our letter and those types of things but I don’t believe anyone came in and actually met with our planners regarding other parcels or not. That being the case, that’s for a later argument. Tonight we are strictly discussion the variance request as stated. I appreciate the input from yourself and from Mr. Dloski at this point.”

MOTION by OLIVER seconded by BUCCI to accept the Planning Commissions recommendation to deny the Land Division Variance Section 17-132(d) - elimination

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of a stub street to access to the property to the west; Lone Oak Estates; since access to the unplatted property to the west is needed to provide continuity in the development of the area in accordance with the Land Division Ordinance. Permanent Parcel No. 08-22-400-032.

MOTION carried.

9. Rezoning Request; Agricultural (AG) to Residential Multiple-Low Density (R-2-L); Located on the west side of Romeo Plank Road approximately 900' south of 26 Mile Road; DDMR Properties, LLC, Petitioner. Permanent Parcel No. 08-06-200-008.

Jack Dailey, Community Planning Consultant, reviewed the request.

Petitioner Present: Jack Dolan. Mr. Dolan held further discussion with the members of the Board reviewing the rezoning request.

Public Portion: None.

MOTION by DUNN seconded by OLIVER to follow the Planning Commission recommendation to deny the Rezoning Request; Agricultural (AG) to Residential Multiple-Low Density (R-2-L); Permanent Parcel No. 08-06-200-008.

MOTION carried.

10. Rezoning Request; Agricultural (AG) to Residential Multiple Low Density (R-2-L); Located on the west side of Romeo Plank Road approximately 1000' south of 26 Mile Road; DDMR Properties, LLC, Petitioner. Permanent Parcel No. 08-06-200-009.

Jack Dailey, Community Planning Consultant, reviewed the request.

Petitioner Present: Jack Dolan. Mr. Dolan held further discussion with the members of the Board reviewing the rezoning request.

Public Portion: None.

MOTION by DUNN seconded by OLIVER to follow the Planning Commission recommendation to deny the Rezoning Request; Agricultural (AG) to Residential Multiple Low Density (R-2-L); Permanent Parcel No. 08-06-200-009.

MOTION carried.

11. Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Located on the west side of Foss Road, approximately 1,448' north of 24 Mile

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Road; The Amato Brothers, Inc. Petitioner. Permanent Parcel No. 08-10-300-041.

Jack Dailey, Community Planning Consultant, reviewed the request.

Petitioner Present: Rosalinda Amato discussed the proposal with the Board.

Public Portion: None.

MOTION by KOEHS seconded by MALBURG to follow the Planning Commissions recommendation to deny the Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-10-300-041.

MOTION carried.

MOTION by KOEHS seconded by MALBURG to rezone the property from Agricultural (AG) to Residential Estate One Family (R-1-E); Permanent Parcel No. 08-10-300-041.

MOTION carried.

12. Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Located on the west side of Foss Road, approximately 1,036' north of 24 Mile Road; The Amato Brothers, Inc. Petitioner. Permanent Parcel No. 08-10-300-042.

Jack Dailey, Community Planning Consultant, reviewed the request.

Petitioner Present: Rosalinda Amato. Ms. Amato discussed the proposal with the Board.

Public Portion: Vincent Lori, a Township resident, reviewed (R-1-E) zone.

MOTION by DUNN seconded by OLIVER to follow the Planning Commissions recommendation to deny the Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-10-300-042.

MOTION carried.

MOTION by DUNN seconded by OLIVER to rezone the property from Rezoning Request; Agricultural (AG) to Residential Estate One Family (R-1-E); Located on the west side of Foss Road, approximately 1,036' north of 24 Mile Road; The Amato Brothers, Inc. Petitioner. Permanent Parcel No. 08-10-300-042.

MOTION carried.

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13. Rezoning Request; Residential One Family Suburban (R-1-S) to Office Low Rise (O-1); Located on the south side of 23 Mile Road approx. $\frac{3}{4}$ mile east of North Ave. GTA Development LLC, Petitioner. Permanent Parcel No. 08-24-201-006.

Jack Dailey, Community Planning Consultant, reviewed the request.

Petitioner Present: None.

Public Portion: None.

MOTION by OLIVER seconded by BUCCI to follow the Planning Commissions recommendation to deny the Rezoning Request; Residential One Family Suburban (R-1-S) to Office Low Rise (O-1); Permanent Parcel No. 08-24-201-006

MOTION carried.

MOTION by OLIVER seconded by BUCCI to rezone the property from Residential One Family Suburban (R-1-S) to Residential One Family Urban (R-1); Permanent Parcel No. 08-24-201-006

MOTION carried.

14. Rezoning Request; Agricultural (AG) to Commercial General Highway (C-4); Located on the north side of 25 Mile Road approximately $\frac{1}{4}$ mile west of Broughton Road; Mark Grabow, Petitioner. Permanent Parcel No. 08-04-400-030.

Jack Dailey, Community Planning Consultant, reviewed the request.

Petitioner Present: Ben Aloia, representative on behalf of the petitioner, discussed the rezoning request.

Public Portion: None.

MOTION by OLIVER seconded by DUNN to follow the Planning Commission recommendation to deny the Rezoning Request; Agricultural (AG) to Commercial General Highway (C-4); Permanent Parcel No. 08-04-400-030.

MOTION carried.

MOTION by KOEHS seconded by OLIVER to rezone the property from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-04-400-030.

AYES: KOEHS, OLIVER, DUNN, BUCCI, KOEHS, MALBURG, BRENNAN

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NAYS: MEERSCHAERT

MOTION carried.

NEW BUSINESS:

15. Request to Adopt Resolution No. 1 to Schedule the Public Hearing Date for May 26, 2004; Strathmore Subdivision; Detention Basin; Located south of 26 Mile Road east of Luchtman Road. Section 4.

Supervisor BRENNAN reviewed the request.

MOTION by DUNN seconded by BUCCI to Adopt Resolution No. 1 to schedule the Public Hearing Date for May 26, 2004; Strathmore Subdivision; Detention Basin; Located south of 26 Mile Road east of Luchtman Road. Section 4. The Resolution is as follows:

FOR THIS MOTION: DUNN, BUCCI, MEERSCHAERT, OLIVER, MALBURG, KOEHS, BRENNAN.

OPPOSED: NONE.

RESOLUTION NO. 1

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on April 28, 2004, at 7:00 o'clock P.M. Eastern Standard Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.

ABSENT: None

The following preamble and resolution were offered by Member DUNN and supported by Member BUCCI.

WHEREAS, final plat approval of Strathmore Subdivision (the "Plat") has been requested by the proprietor(s) thereof; and

WHEREAS, the County Public Works Commissioner of Macomb County (the "Commissioner") and the Macomb Township Board (the "Township") have examined the Plat and are willing to approve it on the condition that Section 192(d)

of the Subdivision Control Act of 1967, 1967 PA 288, (the "Act"), requiring that the proprietor(s) provide an adequate detention basin, are satisfied; and

WHEREAS, the Proprietor, Lot Owners and/or the Homeowners Association of the Plat are responsible for the maintenance and operation of the detention basin pursuant to and in accordance with the Declaration of Easements, Covenants, Conditions and Restrictions which will be recorded with the Macomb County Register of Deeds coincident with the recording of the Plat; and

WHEREAS, in the event the Proprietor, Lot Owners and/or the Homeowners Association refuse, fail or neglect to maintain the detention basin which results in conditions threatening public health, safety or welfare, thus requiring the Township to abate such conditions, and

WHEREAS, if the Township expends funds to correct such conditions and/or to assume the cost of operating and maintaining the detention basin, it is desirable that a Special Assessment District be established which will enable the Township to spread the costs upon Lots 1 through 104 of the Plat as described in Exhibit "A", which contribute storm drainage to the basin; and

WHEREAS, it has been proposed that the special assessment levy be spread equally on each lot in the Special Assessment District; and

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the Act, property notice must be given and a hearing held on creation of the Special Assessment District and defraying the cost of operating and maintaining the detention basin by special assessment on the property benefited thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. That, subject to approval at a public hearing, the Township hereby declares a Special Assessment District pursuant to its authority granted in Section 192a of the Act and such Special Assessment District shall consist of Lots 1 through 104 within the plat, more particularly described in Exhibit "A" as shown thereon.
2. That the Township Board give notice of and hold a public hearing on May 26, 2004, on the creation of the Special Assessment District and objections thereto, including the defraying of the cost of operating and maintaining the detention basin by special assessment on the property benefited thereby. The operation and maintenance of the detention basin shall include, but not be limited to, the operation and maintenance of pumps and appurtenances, the cutting of grass and the removal of weeds and other debris.

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3. That the storm water detention basin provided by the Proprietor is adequate to service the land within the special assessment district and, accordingly, the conditions of Section 192 of the Act are deemed fulfilled.
4. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments and papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all mater and things authorized or permitted to be done in the hereinabove resolution.

AYES: DUNN, BUCCI, MEERSCHAERT, OLIVER, MALBURG, KOEHS, BRENNAN

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

Michael D. Koehs
Macomb Township Clerk

MOTION carried.

16. Request to Adopt Resolution No. 1 to Schedule the Public Hearing Date for May 26, 2004; Buckingham Village No. 2; Detention Basin; Located south of 23 Mile Road, east of Heydenreich Road. Section 22.

Supervisor BRENNAN reviewed the request.

MOTION by DUNN seconded by MALBURG to Adopt Resolution No. 1 to schedule the Public Hearing Date for May 26, 2004; Buckingham Village No. 2; Detention Basin; Located south of 23 Mile Road, east of Heydenreich Road. Section 22. The resolution is as follows:

FOR THIS MOTION: DUNN, MALBURG, OLIVER, BUCCI, MEERSCHAERT, KOEHS, BRENNAN.

OPPOSED: NONE.

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RESOLUTION NO. 1

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on April 28, 2004, at 7:00 o'clock P.M. Eastern Daylight Saving Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie E. Malburg, Dino F. Bucci, Jr., Charles Oliver, Janet Dunn, Kenneth Meerschaert, Jr.

ABSENT: None

The following preamble and resolution were offered by Member DUNN and supported by Member MALBURG.

WHEREAS, final plat approval of Buckingham Village Subdivision No. 2 (the "Plat") has been requested by the proprietor(s) thereof; and

WHEREAS, the County Public Works Commissioner of Macomb County (the "Commissioner") and the Macomb Township Board (the "Township") have examined the Plat and are willing to approve it on the condition that Section 192(d) of the Subdivision Control Act of 1967, 1967 PA 288, (the "Act"), requiring that the proprietor(s) provide an adequate detention basin and pump station, are satisfied; and

WHEREAS, the Proprietor, Lot Owners and/or the Homeowners Association of the Plat are responsible for the maintenance and operation of the detention basin and pump station pursuant to and in accordance with the Declaration of Easements, Covenants, Conditions and Restrictions which will be recorded with the Macomb County Register of Deeds coincident with the recording of the Plat; and

WHEREAS, in the event the Proprietor, Lot Owners and/or the Homeowners Association refuse, fail or neglect to maintain the detention basin and pump station which results in conditions threatening public health, safety or welfare, thus requiring the Township to abate such conditions, and

WHEREAS, if the Township expends funds to correct such conditions and/or to assume the cost of operating and maintaining the detention basin and pump station, it is desirable that a Special Assessment District be established which will enable the Township to spread the costs upon all property located in such district by the imposition of a special assessment levy; and

WHEREAS, it has been proposed that the special assessment levy for each lot within the Plat (along with other additional properties which are being benefited by the detention basin and pump station) be equal to the annual cost of operations and maintenance of the detention basin and pump station multiplied by the fraction,

the numerator of which is one (1) and the denominator of which is the total number of lots in the Plat; and

WHEREAS, there are additional properties which are being benefited by the use of the detention basin that is the subject of the Special Assessment District. These additional benefited properties are Lots 1 through 122, both inclusive, Buckingham Village No. 1 as recorded in Liber 154, Pages 15 through 26, inclusive, of Plats, Macomb County Records.

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the Act, property notice must be given and a hearing held on creation of the Special Assessment District and defraying the cost of operating and maintaining the detention basin and pump station by special assessment on the property benefited thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. That, subject to approval at a public hearing, the Township hereby declares a Special Assessment District pursuant to its authority granted in Section 192a of the Act and such Special Assessment District shall consist of a portion of the property contained within the Plat.
2. That the Township Board give notice of and hold a public hearing on May 26, 2004, on the creation of the Special Assessment District and objections thereto, including the defraying of the cost of operating and maintaining the detention basin and pump station by special assessment on the property benefited thereby, shall be discussed. The operation and maintenance of the detention basin and pump station shall include, but not be limited to, the operation and maintenance of pumps and appurtenances, the cutting of grass and the removal of weeds and other debris.
3. That the storm water detention basin provided by the Proprietor is adequate to service the land within the special assessment district and, accordingly, the conditions of Section 192 of the Act are deemed fulfilled.
4. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments and papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative any and all mater and things authorized or permitted to be done in the hereinabove resolution.

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**AYES: DUNN, MALBURG, OLIVER, BUCCI, MEERSCHAERT, KOEHS,
BRENNAN**

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

**Michael D. Koehs
Macomb Township Clerk**

MOTION carried.

Supervisor BRENNAN introduced and welcomed Trustee Janet Dunn's granddaughter Ms. Kelly Dunn, whom is a twelfth grader at Chippewa Valley High School and as part of her government requirement is here observing our meeting tonight.

17. Sanitary Diversion Study Sec. 9; Located on 25 Mile Road between Luchtman and Broughton Roads. Lombardo & Merlini, Petitioners. Permanent Parcel No. 08-09-200-011 & 013.

James Van Tiflin, Township Engineer, reviewed the request.

Petitioner Present: Anthony Lombardo

Public Portion: None.

MOTION by MEERSCHAERT seconded by BUCCI to move forward with the Sanitary Diversion Study Sec. 9; Located on 25 Mile Road between Luchtman and Broughton Roads. Lombardo & Merlini, Petitioners. Permanent Parcel No. 08-09-200-011 & 013.

MOTION carried.

18. Request to Authorize the Township Attorney to Defend the Stoneridge Partners, LLC, et al v Township of Macomb, County of Macomb.

Supervisor BRENNAN reviewed that the request.

MOTION by KOEHS seconded by DUNN to authorize the Township Attorney to Defend Stoneridge Partners, LLC, et al v Township of Macomb.

MOTION carried.

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19. Request to seek site improvement bids and draw on the letter of credit for Westcreek/Hunters Pond.

Supervisor BRENNAN reviewed the request.

Public Portion: Several residents addressed their concerns with the Board.

Mr. Dloski stated the request should authorize the going out for bids either formal or informal from a couple landscaping or construction companies to have the work done. When those bids are returned the item should be brought back to a Township Board meeting to accept one of the bids and to notify the title company that the bond is being revoked in the amount of the bid and authorize the bid to be done.

MOTION by DUNN seconded by BUCCI to authorize the Board to seek estimates for the completion of the out standing site improvements for Westcreek and Hunters Pond and proceed with the revocation of the bond as discussed.

MOTION carried.

20. Request to adopt a resolution supporting Career Focus Days at Utica Community Schools.

Clerk KOEHS reviewed the request.

**MOTION by OLIVER seconded by MEERSCHAERT to Adopt the resolution supporting Career Focus Days at Utica Community Schools as follows:
FOR THIS MOTION: OLIVER, MEERSCHAERT, DUNN, BUCCI, MALBURG, KOEHS, BRENNAN.**

OPPOSED: NONE.

**UTICA COMMUNITY SCHOOLS
CAREER FOCUS LUNCHEON
MAY 12-MAY 13, 2004**

WHEREAS, The Utica Community Schools Foundation for Education Excellence is a non-profit organization formed to enhance and enrich the educational opportunities offered to students of all ages, and

WHEREAS, The UCS Foundation realizes that today's youth are tomorrow's employees and leaders, and

WHEREAS, The UCS Foundation recognizes that sixth graders need an opportunity to learn about local business and the variety of careers available to them upon graduation from high school, and

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WHEREAS, The Foundation has established the annual CAREER FOCUS Luncheon to meet these goals,

NOW THEREFORE BE IT KNOWN that the Utica Community Schools Board of Education applauds the concerns and efforts of the Utica Community Schools Foundation for Educational Excellence in partnership with the Sterling Heights Area Chamber of Commerce and the Advisor & Source Newspapers and

BE IT FURTHER KNOWN that the Utica Community Schools Board of Education proclaims May 12 and May 13, 2004 as "CAREER FOCUS Days."

MOTION carried.

21. Request Approval to Change the Plat Name from Hidden Meadows to Hidden Meadows South along with a correction to the Section Number from 185 to 186.

Supervisor BRENNAN reviewed the request.

**MOTION by KOEHS seconded by MALBURG to grant the request and authorize the Township to send correspondence to the state acknowledging that we have approved the name change for the subdivision Hidden Meadows South and amended language mentioning section number 185 to 186 as follows:
FOR THIS MOTION: KOEHS, MALBURG, OLIVIER, MEERSCHAERT, BUCCI, DUNN, BRENNAN.**

OPPOSED: NONE.

**Township Of Macomb
County of Macomb
State of Michigan**

**Resolution of the Board of Trustees
Regarding Name Change for Subdivision Plat**

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, April 28, 2004 at 7:00 p.m., the following resolution was offered:

Whereas, The subdivision plat formerly known as Hidden Meadows; and

Whereas, Said subdivision plat requires a name change, and

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Whereas, The new name for said subdivision plat will now be known as Hidden Meadows South, and

Whereas, Said name change further requires a correction from Section number 185 to 186

Now Therefore Be It Resolved, that the Macomb Township Board of Trustees hereby authorizes the Township of Macomb, Macomb County, to send correspondence to the state of Michigan acknowledging that they have approved the name for the subdivision Hidden Meadows South and amended language mentioning section number 185 to 186; and,

FOR THIS MOTION:

Ayes: KOEHS, MALBURG, OLIVER, MEERSCHAERT, BUCCI, DUNN, BRENNAN

Nays: NONE

Absent: NONE

John D. Brennan, Supervisor

Michael D. Koehs, Clerk

RESOLUTION DECLARED ADOPTED.

22. Proposed Amendments to the Macomb Township Zoning Ordinance:

- Regulations of temporary uses (construction trailers)
- Maximum height in Agricultural (AG) District
- Maximum height in Residential One Family Suburban (R-1-S) District
- Maximum height in Residential Estate One Family (R-1-E) District
- Screening Requirements in Commercial Local (C-1), Commercial General (C-2), Commercial Shopping Center (C-3), and Commercial General Highway (C-4) Districts
- Outside storage requirements in Industrial Light (M-1) and Industrial Heavy (M-2) Districts
- Setback requirements in the Traditional Neighborhood District

Jack Dailey, Community Planning Consultants, reviewed the amendments to the Township Zoning Ordinance.

Public Portion: Members in attendance addressed their concerns and suggestions as to increasing (R-1) District Height Requirements and Commercial District greenbelts and wall requirements.

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MOTION by DUNN seconded by OLIVER to adopt these proposed amendments to the Zoning Ordinance as submitted.

FOR THIS MOTION: DUNN, OLIVER, BUCCI, MALBURG, MEERSCHAERT, KOEHS, BRENNAN.

OPPOSED: NONE.

MOTION carried.

OLD BUSINESS:

23. Sidewalk Abeyance Request; St. Isidore Catholic Church; 18201 23 Mile Road. Timothy Teefey, Petitioner. Section 17. *(Tabled at the petitioners request to the Township Board Meeting of April 28, 2004)*

Supervisor BRENNAN reviewed the request.

Petitioner Present: Chris Seltin representative.

Mr. Seltin stated this request was intended to be on a permanent basis rather than temporary. Supervisor BRENNAN stated this will not be granted as a permanent abeyance. Supervisor BRENNAN further stated the Road Commission is going to put this in for you, but it's going to be part of your site plan approval to have that sidewalk in when it's done so it's not a permanent abeyance. Supervisor BRENNAN recommended that the Board grant a temporary abeyance; St. Isidore Catholic Church; until such time as the road work is completed, 23 Mile Road has been expanded as which time the Road Commission will put the side walk in.

Mr. Dloski stated the sidewalk abeyance agreement indicates they will be put it in on demand of the Township Board.

MOTION by DUNN seconded by OLIVER to grant this Temporary Abeyance; St. Isidore Catholic Church; 18201 23 Mile Road. Timothy Teefey, Petitioner. Section 17.

MOTION carried.

24. Request to Release; Wall Sign Bond; A-1 Cleaners; Located on the southeast corner of 21 Mile Road and Romeo Plank Road. Byung Chung, Petitioner. Permanent Parcel No. 08-33-101-006.

MOTION by OLIVER seconded by BUCCI to approve the request to release Wall Sign Bond; A-1 Cleaners; Located on the southeast corner of 21 Mile Road and

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Romeo Plank Road. Byung Chung, Petitioner. Permanent Parcel No. 08-33-101-006.

MOTION carried.

25. Request re-appointment of two members on the Clinton Macomb Public Library Board.

Clerk KOEHS reviewed the request.

MOTION by KOEHS seconded by DUNN to re-appoint Mr. Richard Onaga's term as a member of the Clinton-Macomb Library Board from May 1, 2004 to expire April 30, 2005 and also re-appoint Mr. Michael Lotito's term as a member on The Clinton-Macomb Library Board from May 1, 2004 to expire April 30, 2007.

MOTION carried.

26. Request approval to pay half of the fees for the Macomb County School Liaison Officer – Dakota High School.

Supervisor BRENNAN reviewed the request.

MOTION by OLIVER seconded by KOEHS to approve to pay half of the fees for a deputy as a Macomb County School Liaison Officer – Dakota High School for the total amount of Fifty Five Thousand dollars and 00/100 (\$55,000.00).

MOTION carried.

FIRE DEPARTMENT:

27. Request permission to purchase helmets

Raymond Ahonen, Fire Department Chief, reviewed the request.

MOTION by DUNN seconded by BUCCI to approve the request to purchase fifteen helmets through Apollo Fire Equipment for the total amount of Three Thousand Three Hundred Seventy Five dollars and 00/100 (\$3,375.00).

MOTION carried.

28. Chief Ahonen's appointment to St. Joseph Mercy Hospital EMS Advisory Council.

Informational Only.

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29. Chief Ahonen's appointment to the Macomb County Local Emergency Planning Committee.

Raymond Ahonen, Fire Department Chief, reviewed the request.

MOTION by KOEHS seconded by DUNN to support Chief Raymond Ahonen's request to be appointed to the Macomb County Local Emergency Planning Committee.

MOTION carried.

HUMAN RESOURCE DEPARTMENT:

30. Request to Hire a Planning Supervisor.

John Brogowicz, Human Resource Director, reviewed the request to hire Ms. Sherrin Hood for the Planning Supervisor Position; employment date will begin May 10, 2004.

It is noted that Ms. Sherrin Hood was present in the audience.

MOTION by DUNN seconded by OLIVER to approve the request on the basis of the recommendation and hire Ms. Sherrin Hood for the Planning Supervisor Position; employment date will begin May 10, 2004. This motion is contingent upon all required tests and history background check.

MOTION carried.

31. Request to Change Agent of Record for the Macomb Township Group Pension Plan

John Brogowicz, Human Resource Director, reviewed the request.

MOTION by KOEHS seconded by BUCCI to retain Nationwide Financial as the holder of assets for the Macomb Township Group Pension Plan.

MOTION carried.

MOTION by KOEHS seconded by MALBURG To appoint Burnham & Flowers Insurance Group as Agent of Record.

MOTION carried.

MOTION by KOEHS seconded by OLIVER to terminate the Township's relationship with Raphael Betanos.

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MOTION carried.

MOTION by KOEHS seconded by DUNN to authorize Nationwide Financial, Burnham & Flowers and the Director of Human Resources John D. Brogowicz to develop an administrative and financial plan for the Group Pension Plan for the Board of Trustees consideration on or before June 1, 2004.

MOTION carried.

32. Request to Recruit Replacement for Property Appraiser in the Assessing Department.

John Brogowicz, Human Resource Director, reviewed the letter of resignation submitted by Mr. Robert Thomas indicating his last date of employment; June 18, 2004.

MOTION by KOEHS seconded by DUNN to authorize the Human Resource Department to start the recruitment process for a Level Three Property Appraiser Position.

MOTION carried.

33. Request to Authorize Township Supervisor and Director of Human Resources to Add New Memorandum of Understanding to the Collective Bargaining Agreement with AFSCME Local 1917.

John Brogowicz, Human Resource Director, reviewed the request which will amend the current bargaining agreement to: Add new positions for: Human Resource Specialist, Aquatics Supervisor, Recreational Facility Supervisor, and Parks Supervisor; Reclassify the Finance Supervisor to Finance Manager; Clarify Article 30; Overtime premium for Water & Sewer Forepersons; Add a Paid Provider Organization option for medical insurance; Clarify Article 38 as it pertains to the Macomb Township Group Pension Plan and the 457(b) Deferred Compensation Plan.

Public Portion: None.

MOTION by DUNN seconded by OLIVER to grant the request for authorization to sign the memorandum of understanding with AFSCME Local 1917.

MOTION carried.

34. Request to Attend Training Meetings

John Brogowicz, Human Resource Director, reviewed the request.

MOTION by BUCCI seconded by KOEHS to approve the request for John Brogowicz and Sharalyn Arft to attend the May 14, 2004 training and meeting

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course with the Michigan Public Employer Labor Relations Association, MPERLA;
**Subject: Changes in Fair Labor Standards Act, Workers Compensation &
Computer Crimes in Government for the total amount of Seventy dollars and
00/100 (\$70.00) plus mileage and also approve the request for John D. Brogowicz to
attend the May 25 -26, 2004 training and meeting course with the Michigan State
University, School of Labor & Industrial Relations for the total amount of Four
Hundred Ninety Five dollars and 00/100 (\$495.00) plus hotel, meals and mileage.**

MOTION carried.

PARKS AND RECREATION:

35. Request permission to contract for the indoor playscape within the Recreation Center.

Salvatore DiCaro, Parks & Recreation Director, reviewed the request.

MOTION by OLIVER seconded by DUNN to approve the request to contract with Softplay LLC to provide the indoor playscape in the Recreation Center for the total bid amount of Ninety Thousand dollars and 00/100 (\$90,000.00).

MOTION carried.

36. Request permission to approve the cost structure for membership fees for the Recreation Center.

Salvatore DiCaro, Parks & Recreation Director, reviewed the request.

Public Portion: Residents addressed their questions and concerns.

MOTION by KOEHS seconded by DUNN to approve the cost structure for membership fees for the Recreation Center as submitted.

MOTION carried.

37. Request permission to hire Seasonal Positions

Salvatore DiCaro, Parks & Recreation Director, reviewed the request.

MOTION by DUNN seconded by OLIVER to approve the request to hire the seasonal positions for spring/summer sessions as submitted.

MOTION carried.

WATER/SEWER DEPARTMENT:

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38. Request for approval to Hire Summer Employees

David Koss, Water & Sewer Department Superintendent, reviewed the request.

MOTION by OLIVER seconded by MALBURG to approve the request to hire four temporary summer employees for the hydrant maintenance program for this year.

MOTION carried.

39. Request for Authorization to Purchase Envelope Opener

David Koss, Water & Sewer Department Superintendent, reviewed the request.

MOTION by KOEHS seconded by OLIVER to approve the request to purchase an electric envelope opener through Kerr Albert for total amount of One Thousand Ninety Nine dollars and 00/100 (\$1,099.00).

MOTION carried.

40. Temporary Cement Batch Plant Request; Tony Angelo Cement Construction Co.

- A. Strathmore Subdivision, May 1 through July 1, 2004
- B. Bluffs of Beaufait Farms II, June 1 through August 1, 2004
- C. Fallbrooke Farms Subdivision, May 15 through July 15, 2004
- D. Brook Run Subdivision, May 1 through July 1, 2004

David Koss, Water & Sewer Department Superintendent, reviewed the request.

MOTION by KOEHS seconded by BUCCI to approve the request for the Temporary Cement Batch Plant Request; Tony Angelo Cement Construction Co: Strathmore Subdivision, May 1 through July 1, 2004; Bluffs of Beaufait Farms II, June 1 through August 1, 2004; Fallbrooke Farms Subdivision, May 15 through July 15, 2004; Brook Run Subdivision, May 1 through July 1, 2004.

MOTION carried.

Addition:

40E. Roofing Replacement Contract; Water/ Sewer Maintenance Building

David Koss, Water & Sewer Department Superintendent, reviewed the request.

MOTION by OLIVER seconded by KOEHS to approve the request to award the bid for Roofing Replacement Contract; Water/ Sewer Maintenance Building to Masters/Murphy Maintenance, LLC in the amount of Thirty Eight Thousand One Hundred Fifteen dollars and 00/100 (\$38,115.00).

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MOTION carried.

BOARD COMMENTS:

41. Supervisor Comments:

41A. Request to Revoke Industrial Facility Exemption Certificates

1. L-Pak Molding Inc., 51187 Industrial Drive, Certificate No. 00-634 (Personal Property Only), effective for the 2003 assessment year, vacated the location on 10/31/03.
2. American Machine Guarding, 51258 Quadrate Drive, Certificate No. 01-260 (Personal Property Only), effective for the 2002 assessment year, vacated the location prior to 12/31/01.
3. All American Container, 24600 Wood Court, Certificate No. 99-059 (Personal Property Only), effective for the 2000 assessment year. They remain the occupants of the building; therefore still qualify for the Real Property Exemption, but have exceeded the 2 year time limit to purchase equipment.

Supervisor BRENNAN reviewed the request.

MOTION by DUNN seconded by BUCCI to Adopt the Resolution to Revoke Industrial Facility Exemption Certificates for L-Pak Molding Inc., 51187 Industrial Drive, Certificate No. 00-634 (Personal Property Only), effective for the 2003 assessment year, vacated the location on 10/31/03 as follows:

FOR THIS MOTION: DUNN, BUCCI, MEERSCHAERT, OLIVER, MALBUR, KOEHS, BRENNAN.

OPPOSED: NONE.

**Township Of Macomb
County of Macomb
State of Michigan**

Resolution of the Board of Trustees

To Revoke the Industrial Facility Exemption Certificate for L-Pak Molding

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, April 28, 2004 at 7:00 p.m., the following resolution was offered:

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Whereas, an Industrial Facilities Exemption Certificate, Number 00-634 (Personal Property Only), was granted to L-Pak Molding, Inc., at 51187 Industrial Drive effective for the 2003 assessment year; and,

Whereas, L-Pak Molding vacated the premises at 51187 Industrial Drive on or about October 31, 2003,

Now Therefore Be It Resolved; that the Macomb Township Board of Trustees hereby revokes Industrial Facilities Exemption Certificate, Number 00-634, that was granted to L-Pak Molding, Inc., at 51187 Industrial Drive effective for the 2003 assessment year.

Motion by DUNN, seconded by BUCCI, that this resolution be adopted.

Ayes: DUNN, BUCCI, MEERSCHAERT, OLIVER, MALBURG, KOEHS,
BRENNAN
Nays: NONE
Absent: NONE

MOTION carried.

MOTION by DUNN seconded by MALBURG to Adopt the Resolution to Revoke Industrial Facility Exemption Certificates for American Machine Guarding, 51258 Quadrate Drive, Certificate No. 01-260 (Personal Property Only), effective for the 2002 assessment year, vacated the location prior to 12/31/01 as follows:

FOR THIS MOTION: DUNN, MALBURG, OLIVER, BUCCI, MEERSCHAERT, KOEHS, BRENNAN.

OPPOSED: NONE.

Township Of Macomb
County of Macomb
State of Michigan

Resolution of the Board of Trustees

To Revoke the Industrial Facility Exemption Certificate for American Machine Guarding

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, April 28, 2004 at 7:00 p.m., the following resolution was offered:

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Whereas, an Industrial Facilities Exemption Certificate, Number 01-260 (Personal Property Only), was granted to American Machine Guarding, at 51258 Quadrate Drive, effective for the 2002 assessment year; and,

Whereas, American Machine Guarding vacated the premises at 51258 Quadrate Drive prior to December 31, 2001.

Now Therefore Be It Resolved; that the Macomb Township Board of Trustees hereby revokes Industrial Facilities Exemption Certificate, Number 01-260, that was granted to American Machine Guarding, Inc., at 51258 Quadrate Drive effective for the 2002 assessment year.

Motion by DUNN, seconded by BUCCI, that this resolution be adopted.

Ayes: DUNN, MALBURG, OLIVER, BUCCI, MEERSCHAERT, KOEHS,
BRENNAN

Nays: NONE

Absent: NONE

MOTION carried.

MOTION by DUNN seconded by OLIVER to adopt the resolution to Revoke Industrial Facility Exemption Certificates All American Container, 24600 Wood Court, Certificate No. 99-059 (Personal Property Only), effective for the 2000 assessment year. They remain the occupants of the building; therefore still qualify for the Real Property Exemption, but have exceeded the 2 year time limit to purchase equipment as follows:

FOR THIS MOTION: DUNN, OLIVER, MALBURG, BUCCI, MEERSCHAERT, KOEHS, BRENNAN.

OPPOSED: NONE.

Township Of Macomb
County of Macomb
State of Michigan

Resolution of the Board of Trustees

To Revoke the Industrial Facility Exemption Certificate for All American Container

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
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At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, April 28, 2004 at 7:00 p.m., the following resolution was offered:

Whereas, an Industrial Facilities Exemption Certificate, Number 99-059 (Personal Property Only), was granted to All American Container, at 24600 Wood Court effective for the 2000 assessment year; and,

Whereas, All American Container remain occupants of the building ; therefore still qualify for the Real Property Exemption, but have exceeded the two (2) year time limit to purchase equipment,

Now Therefore Be It Resolved; that the Macomb Township Board of Trustees hereby revokes Industrial Facilities Exemption Certificate, Number 99-059, that was granted to All American Container, at 24600 Wood Court effective for the 2000 assessment year.

Motion by DUNN, seconded by OLIVER, that this resolution be adopted.

Ayes: DUNN, OLIVER, MALBURG, BUCCI, MEERSCHAERT, KOEHS, BRENNAN

Nays: NONE

Absent: NONE

MOTION carried.

- 41B. Suburban Mobility Authority for Regional Transportation (SMART) Program;
1. Dial-A-Ride Transportation Vehicle Update
 2. Municipal Credit and Community Credit Contract for Fiscal Year 2004

Supervisor BRENNAN reviewed the request.

MOTION by KOEHS seconded by DUNN to authorize the supervisor to execute the Suburban Mobility Authority for Regional Transportation (SMART) Program; Dial-A-Ride Transportation Vehicle Update; Municipal Credit and Community Credit Contract for Fiscal Year 2004.

MOTION carried.

Additional Information:

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Jim Koss, Information Technology Director, updated the Board on Township programs, hardware, interfaces and the website.

Information only. No action taken.

Addition:

41C. 2004 Calcium Chloride Contract

Supervisor BRENNAN reviewed the request

MOTION by KOEHS seconded by OLIVER to recommend that we have three applications in addition to the one provided by the county for the Calcium Chloride Contract as discussed.

MOTION carried.

Addition:

41D. Request to Adopt Resolution to apply for County Drain Grant.

Supervisor BRENNAN reviewed the request.

MOTION by KOEHS seconded by BUCCI to authorize the resolution for the application and request for the cleaning of the Clinton Drain as follows:

FOR THIS MOTION: KOEHS, BUCCI, OLIVER, MEERSCHAERT, DUNN, MALBURG, BRENNAN.

OPPOSED: NONE.

**Township Of Macomb
County of Macomb
State of Michigan**

Resolution of the Board of Trustees

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, April 28, 2004 at 7:00 p.m., the following resolution was offered:

Whereas, Macomb Township is desirous of providing for the health, safety and welfare of its citizens; and,

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Whereas, Macomb Township is desirous of maintaining the drainage in the township by applying for a grant from the Environmental Lakes and Rivers Fund,

Now, therefore be it resolved that, the Macomb Township Board of Trustees hereby supports the application for a grant request to provide for the cleaning of the Crittenden Drain using the above mentioned funds.

Motion by KOEHS, seconded by BUCCI, that the resolution be adopted.

Ayes: KOEHS, BUCCI, OLIVER, MEERSCHAERT, DUNN, MALBURG, BRENNAN

Nays: NONE

Absent: NONE

RESOLUTION DECLARED ADOPTED.

Addition:

41E. Broadcasting Township Activities

Supervisor BRENNAN reviewed the item.

Public Portion: Wallace Perry, a Township Resident congratulated the Board on considering this matter and discussed his thoughts and recommendations for the matter.

MOTION by KOEHS seconded by DUNN to authorize the Township Supervisor to Research information necessary to initiate the Broadcasting of Township activities.

MOTION carried.

42. Clerk Comments:

Addition:

42A. Request to Adopt the Resolution Honoring Eagle Scout Steven William Carter.

Clerk KOEHS reviewed the request.

MOTION by OLIVER seconded by MALBURG to adopt the resolution Honoring Eagle Scout Steven William Carter as follows:

FOR THIS MOTION: OLIVER, MALBURG, BUCCI, MEERSCHAERT, DUNN, KOEHS, BRENNAN.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
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OPPOSED: NONE

**Resolution Honoring
Eagle Scout**

Steven William Carter

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 28th day of April, 2004 at 7:00 PM the following preamble and resolution were offered by member Oliver and supported by member Malburg.

Whereas, Steven William Carter started his scouting career with Pack 198 at the Hatherly Elementary School in 1992; and,

Whereas, Steven William Carter, continued his scouting career with Boy Scout Troop 154 in 1997 and then with Troop 149 where he has distinguished himself by earning twenty-three merit badges; and,

Whereas, Steven William Carter, has served as Assistant Patrol Leader, Patrol Leader, Bugler, Scribe and Assistant Senior Patrol Leader; and,

Whereas Steven William Carter, by his own actions and high moral standards has made himself a role model to other scouts and his peers,

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Trustees recognizes the dedication, commitment and personal sacrifices Steven William Carter has made to obtain the rank of Eagle Scout; and,

Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to *Steven William Carter* on his elevation to Eagle Scout and further extends its best wishes to Steven in his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,

**Monday, May 24, 2004
Steven William Carter Day
In**

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, APRIL 28, 2004
AT 7:00 P.M.

Macomb Township

FOR THIS RESOLUTION: Supervisor John Brennan, Clerk Michael D. Koehs, Treasurer Marie Malburg, Trustees Dino F. Bucci Jr., Janet Dunn, and Charles Oliver.

John D. Brennan, Supervisor

Michael D. Koehs, Clerk

RESOLUTION DECLARED ADOPTED.

Addition:

42B. Request to Reschedule Board Meeting

MOTION by KOEHS seconded by MALBURG to reschedule the Township Board of Trustees Meeting of Wednesday May 26, 2004 to Monday May 24, 2004.

MOTION carried.

Additional Information:

Trustee MEERSCHAERT discussed recognition of a local Business.

MOTION by MEERSCHAERT seconded by DUNN to direct the Clerks Department to draft a letter of recognition for Joint Product Technologies for supporting community CAD programs.

MOTION carried.

43. Treasurer Comments: None.

44. Trustees Comments: None.

MOTION by BUCCI seconded by KOEHS to adjourn into Executive Session at 10:34 P.M.

MOTION carried.

EXECUTIVE SESSION:

45. Quadrate Development, LLC Tax Appeals

MOTION by KOEHS seconded by DUNN to authorize legal counsel to sign the stipulations to settle both Quadrate Development, LLC Tax Appeals.

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MOTION carried.

46. LandTec Investment v Township of Macomb

Removed from agenda. No action taken.

ADJOURNMENT:

MOTION by MEERSCHAERT seconded by BUCCI to adjourn this meeting at 10:40 P.M.

MOTION carried.

Respectfully,

John D. Brennan, Supervisor

Michael D. Koehs, Clerk
Gabrielle M. Baker, Recording Secretary
MDK/gmb